

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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BRIAN L. GREENSPUN, et al.,

Plaintiffs,

v.

STEPHENS MEDIA LLC, et al.,

Defendants.

Case No. 2:13-cv-01494-JCM-PAL

**ORDER**

(Mtns to File Under Seal – Dkt. ##88, 93)

This matter is before the court on Plaintiffs’ Motions to File Affidavit in Support of Stipulation and Order Under Seal (Dkt. ##88, 93) filed April 25, 2014, and May 12, 2014. The Motions request permission to file affidavits of E. Leif Reid in support of the parties’ Stipulations for Plaintiffs to File a Response to Lewis Roca Rothgerber LLP’s Renewed Motion to Withdraw as Counsel Under Seal (Dkt. ##90, 95).

Pursuant to Local Rule 10-5(b), Plaintiffs’ counsel, Lewis Roca Rothgerber, LLP (“LRR”), seeks orders allowing them to file affidavits of attorney E. Leif Reid under seal in support of the parties’ Stipulations for Plaintiffs to file a Response to LRR’s Renewed Motion to Withdraw as Counsel (Dkt. ##91, 96). Concurrently with the Motions to Seal, Plaintiffs’ counsel filed the Affidavits (Dkt. ##90, 95) under seal as required by LR 10-5(b). Plaintiffs’ counsel represents that good cause exists for the Affidavits to remain under seal. Specifically, LRR represents the Affidavits contain information learned through privileged attorney-client communications and concern a strictly confidential transaction.

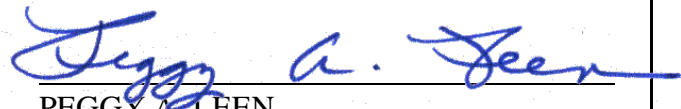
As a general matter, there is a strong presumption of access to judicial records. *See Kamakana v. City & County of Honolulu*, 447 F.3d 1172, 1179 (9th Cir. 2006). The Ninth Circuit has carved out an exception to this presumption of access for materials attached to non-dispositive motions where the movant makes a particularized showing of good cause under Rule

1 26(c) of the Federal Rules of Civil Procedure that rebuts the public's right of access. *See Foltz v.*  
2 *State Farm Mut. Ins. Co.*, 331 F.3d 1122, 1135, 1138 (9th Cir. 2003); *Phillips v. Gen. Motors*  
3 *Corp.*, 307 F.3d 1206, 1213 (9th Cir. 2002). Under Nevada law, confidential communications  
4 between an attorney or attorney's representative and a client or the client's representative for the  
5 purpose of facilitating the rendition of professional legal services are privileged from disclosure.  
6 NRS 49.095. The court has reviewed the Affidavits and finds that they contain information  
7 learned through confidential attorney-client communications about a strictly confidential matter.  
8 The court previously granted LRR's previous request to seal the Affidavit of E. Lief Reid (Dkt.  
9 #84) that concerned the same subject matter of the Affidavits here. *See* Order (Dkt. #87).  
10 Therefore, the court finds Plaintiffs' counsel has made a particularized showing of good cause  
11 for the Affidavits to remain under seal.

12 Accordingly,

13 **IT IS ORDERED** that LRR's Motions to File Affidavit Under Seal (Dkt. ##88, 93) are  
14 GRANTED. The Affidavits of R. Leif Reid (Dkt. ##90, 95) shall remain under seal.

15 DATED this 19th day of May, 2014.

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19 PEGGY A. LEEN  
UNITED STATES MAGISTRATE JUDGE